

FILED

SEP 03 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DUANE WEST,

Petitioner,

v.

CORRECTIONAL OFFICER R. DIAZ,

Respondent.

No. C 13-03010 EJD (PR)

ORDER GRANTING EXTENSION OF
TIME TO FILE COMPLETE *IN FORMA*
PAUPERIS APPLICATION

On June 28, 2013, Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk sent a notice to Petitioner that a filing fee of \$5.00 was due or in the alternative, that Petitioner must file an In Forma Pauperis ("IFP") Application within twenty-eight days of the notice to avoid dismissal of the action. On August 14, 2013, the Court granted Petitioner an extension of time to file a complete IFP application. Petitioner has filed an IFP application which is deficient because it does not contain a trust account statement showing the most recent six-months' transactions.

In the interest of justice, the Court will grant Petitioner an extension of time to file a trust account statement showing the most recent six-months' transactions to complete his IFP application. Petitioner must file the necessary document **no later**

1 **than twenty-eight (28) days** from the date this order is filed. In the alternative,
2 Petitioner may pay the \$5.00 filing fee in the same time provided.

3 **Failure to file a timely response in accordance with this order by filing a**
4 **complete IFP application or paying the filing fee will result in the dismissal of this**
5 **action without further notice to Petitioner.**

6
7 DATED: 8/30/13



EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DUANE WEST,

Petitioner,

v.

CORRECTIONAL OFFICER R. DIAZ,

Respondent.

Case Number CV 13-03010 EJD (PR)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 9/03/13, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) inter-office delivery receptacle located in the Clerk's office.

Duane West
T82465
Corcoran State Prison
P. O. Box 5242
Corcoran, CA 93212

DATED: 9/03/13


Richard W. Wicking, Clerk
By: Elizabeth Garcia, Deputy Clerk